

Statement of John Conyers, Jr.
Child Interstate Abortion Notification Act
April 26, 2005

I rise in strong opposition to this legislation, which will increase health risks to young women who choose to have an abortion, is anti-family, anti-physician, and clearly unconstitutional.

This bill is about far more than limiting the travel rights of young woman who want an abortion, or forcing a physician to provide parental notices – this bill is about stopping any woman from crossing a state line to obtain an abortion under any conditions, and about preventing any doctor from performing an abortion at any time.

If the proponents really wanted to allow young women to ever cross a state line to obtain an abortion, why would they pass a law so extreme as to prevent the woman's grandparents, or aunts and uncles, or siblings, or clergy from helping safeguard the woman's safety? Why else would they pass a law that criminalizes not only taxi and bus drivers, but nurses or any health care professional who even gives the young woman directions home?

There is only one possible answer – they want to prevent any young woman from being able to obtain an abortion, even if she is raped, or even if she is too scared of her parents to confide in them.

If the proponents of the bill really wanted to permit doctors to conduct abortions on young woman, why would they force them to travel in-person across state lines to give actual written notice to the parents? Why else would they fail to define what constitutes “reasonable effort” by the physician? Why else would they impose this burdensome requirement even if a parent brought his or her child to the doctor's office to obtain the abortion?

There is only one possible answer – they don't want any doctors to perform any abortions on young woman at any time, with or without the parent's consent.

If the proponents really cared about the woman's well being, why would they have provided no health exception whatsoever? A woman could be facing the loss of an organ or a limb, a life of excruciating pain, the loss of the ability to bear children, but under this bill none of that matters if it would get in the way of shutting down these abortions.

If the proponents really cared whether the bill complied with the constitution, they would read the Supreme Court cases before sending these bills to the House floor. They would add a health exception, as specifically required by the Supreme Court in *Stenberg v. Carhart*. They would provide for a judicial bypass, as is mandated by the Supreme Court in *Hodgson v. Minnesota*. Yet the proponents continue to ignore the letter of the law, and then act surprised and complain about "activist judges" when the Court does its duty and strikes these blatantly unconstitutional laws down.

Unfortunately, this legislation constitutes yet another in a long line of shortsighted efforts to politicize tragic family dilemmas that does nothing to respond to the underlying problems of teen pregnancies, dysfunctional families, and child abuse. Congress should not be in the business of telling young women facing a terrible situation who they must confide in and that the constitution does not apply to them.

I urge a No vote.